

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND
ARREST WARRANT CASE NUMBER: 3:22MJ5033**

I, Stephen McGrath Special Agent (SA) of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), being duly sworn, do hereby depose and state the following:

INTRODUCTION:

1. Your affiant makes this affidavit in support of an application for an arrest warrant for RICHARD HUTCHINSON for the violation of Title 18, U.S.C. § 922(g)(1), Possession of a Firearm by a Prohibited Person.
2. The facts in this affidavit come from my training and experience as a law enforcement agent, as well as information provided to me by and/or through other law enforcement agents, investigators, and individuals with knowledge of this matter during the course of my investigation.
3. This affidavit summarizes such information but does not provide every detail known by your affiant regarding this investigation; rather it provides information necessary to establish probable cause that Richard HUTCHINSON violated the target offenses.

TRAINING AND EXPERIENCE

4. Your affiant has been employed as a Special Agent by the Bureau of Alcohol, Tobacco, Firearms, and Explosives since April of 2021. Before this position, your affiant served as an ATF Task Force Officer since July 2018. Prior to and while serving as a Task Force

Officer with ATF, the Affiant was employed by the City of Cleveland, Ohio for approximately 8 years. Your affiant served the City of Cleveland Division of Police (herein after “CDP”) as a Basic Patrolman, a Detective with the CDP Gang Impact Unit, and as a Sergeant supervising the CDP Gang Impact Unit/ Operation Legend Task Force. Formalized education prior to law enforcement includes advanced degrees of Bachelor’s in Science of Business Administration and a Master of International Business Administration. Affiant has participated and investigated numerous state and federal firearms investigations.

5. Based on my training and experience, pursuant to Title 18, United States Code, Section 922(g)(1), It shall be unlawful for any person who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year, to possess or receive a firearm or ammunition.

INVESTIGATION & PROBABLE CAUSE

6. On or about January 13, 2022, SA McGrath was informed by an investigator, who is employed by First Cash Inc. (Cash America Pawn), of a suspicious transaction conducted on January 06, 2022, by a customer. The investigator provided a report of investigation to SA McGrath as well as a PowerPoint containing photos of the suspicious transaction. The report provided by the investigator identified the suspicious customers as Melissa HUTCHINSON and Richard HUTCHINSON. SA McGrath reviewed the photos provided and observed both Melissa and Richard HUTCHINSON inside of Cashland pawnshop at the firearms counter. Richard can be seen handling a Glock pistol and an H&R shotgun inside of the store and then walking out of the store carrying the shotgun.

7. On January 20, 2022, SA McGrath did a criminal history check of Richard HUTCHINSON and discovered that Richard HUTCHINSON was arrested on October 07, 2017, by the Toledo Police Department (TPD) and charged with Aggravated Robbery (F1). On December 19, 2017, Richard HUTCHINSON plead guilty to a lesser offense of Robbery (F2). He was sentenced to three years of imprisonment followed by three years of post-release control. (Lucas County Court of Common Pleas case number G-4801-CR-021702811-00).
8. On January 21, 2022, the investigator provided your affiant with ATF Firearms Transaction Records (Form 4473) related to transactions Melissa HUTCHINSON has completed at this Cashland location. These Firearms Transaction Records included the following firearms:
 - a. December 15, 2021 - Glock, model 19, 9mm pistol bearing serial number BUBL008
 - b. January 06, 2022 - H&R, model Pardner, 410-guage shotgun, bearing serial number HY261189
9. According to Cashland records, the investigator's statements, and ATF Firearms Transaction Records, Melissa HUTCHINSON pawned the Glock pistol on November 01, 2021, and redeemed it on December 15, 2021. Upon redeeming the firearm on December 15, Melissa HUTCHINSON completed an ATF Firearms Transaction Record (Form 4473). Your affiant reviewed the video footage of this transaction.
 - a. Your affiant did observe Richard and Melissa HUTCHINSON arrive at the Cashland pawn shop at 5037 Lewis Ave. in separate vehicles on December 15,

2021. Richard HUTCHINSON arrived in a black Ford Escape and Melissa HUTCHINSON arrived in a light green Ford Escape.

- b. Your affiant did observe Richard and Melissa HUTCHINSON inside of the Cashland together.
 - c. Your affiant did observe Melissa HUTCHINSON complete the transaction of redeeming the Glock pistol, complete the ATF Firearms Transaction Record (Form 4473), and receive the Glock pistol.
 - d. Your affiant did observe Richard and Melissa HUTCHINSON exit the store together. While in the parking lot, Melissa HUTCHINSON can be seen handing the Glock box containing the Glock pistol to Richard HUTCHINSON. They then leave in separate vehicles.
10. On January 28, 2022, the investigator provided the video surveillance of the purchase made by Melissa HUTCHINSON while accompanied by Richard HUTCHINSON on January 06, 2022.
- a. Your affiant did observe Melissa and Richard HUTCHINSON inside of the Cashland pawnshop together on January 06, 2022.
 - b. Your affiant did observe Melissa and Richard HUTCHINSON arrive in different vehicles. Melissa HUTCHINSON does arrive prior to Richard HUTCHINSON. Melissa HUTCHINSON arrived in a light green Ford Escape and Richard HUTCHINSON arrived in a black Ford Escape.

- c. Your affiant did observe Melissa HUTCHINSON on her cellular phone while inside of the Cashland pawnshop. Melissa HUTCHINSON places or receives a phone call moments before Richard HUTCHINSON arrives.
 - d. Your affiant did observe Richard HUTCHINSON handling a Glock pistol in which Melissa HUTCHINSON was pawning. The pistol in which Melissa HUTCHINSON pawned was a Glock, model 19, 9mm pistol bearing serial number BUBL008. This firearm was pawned by Melissa HUTCHINSON and remains in the possession of Cashland (5037 Lewis Ave., Toledo OH); previously pawned on November 01, 2021, and redeemed on December 15, 2021.
 - e. Your affiant did observe Melissa HUTCHINSON complete the ATF Firearms Transaction Record (ATF Form 4473) and purchase a H&R, model Pardner, 410-guage shotgun, bearing serial number HY261189.
 - f. Your affiant did observe Richard HUTCHINSON handling the H&R shotgun.
 - g. Your affiant did observe Richard HUTCHINSON carry the shotgun out of the store at the completion of the purchase.
 - h. Your affiant did observe Melissa and Richard HUTCHINSON leave in separate vehicles.
 - i. Your affiant did observe Melissa HUTCHINSON walking to her vehicle to leave without a shotgun.
11. Your affiant knows, based on his training and experience, that it is common for Federal Firearms Licensees to keep business records, such ATF Firearms Transaction Records,

receipts, and other transaction records in their licensed business premises. Your affiant also knows that it is common for FFLs, who have a storefront, to also have surveillance video equipment which records points of sales and store entrances.

12. Your affiant knows, based on his training and experience, that it is common for persons to store firearms at their residence. Through the use of law enforcement databases, observations, and other witnesses, your affiant has reason to believe that Richard and Melissa HUTCHINSON reside at 6339 Northridge Lane, Apartment #8, Toledo, OH 43612; to wit, both of their vehicles parked in the parking lot outside of the apartment complex, a Black 2008 Ford Escape bearing State of Ohio license plate JCF3736 which is registered to Richard HUTCHINSON and a light green 2013 Ford Escape registered to Melissa HUTCHINSON. Richard and Melissa HUTCHINSON were observed operating these vehicles on video footage at the Cashland pawnshop.
13. Your affiant has communicated with ATF Special Agent Courtney Anderson, an investigator trained to make firearms interstate nexus determinations. Your affiant learned that the Glock firearm, pawned by HUTCHINSON, was manufactured outside the state of Ohio. Consequently, your affiant believes this firearm had traveled in interstate commerce.
14. Your affiant has communicated with ATF Special Agent Courtney Anderson, an investigator trained to make firearms interstate nexus determinations. Your affiant learned that the H&R firearm, purchased by Melissa HUTCHINSON and possessed by Richard HUTCHINSON, was manufactured outside of the State of Ohio. Consequently, your affiant believes this firearm had traveled in interstate commerce.

15. Based upon the information above, there is probable cause to believe HUTCHINSON, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did possess a firearm, in violation of Title 18 U.S.C. Section 922(g)(1). Said violation occurred on December 15, 2021, and January 06, 2022, in the Northern District of Ohio, Western Division.

Stephen J. McGrath

Special Agent Stephen J. McGrath
Bureau of Alcohol, Tobacco, Firearms, &
Explosives

Sworn to via telephone after submission by reliable electronic means. Fed. R. Crim. P. 3, 4(d), and 4.1, on this 11th, day of February 2022.



Darrell A. Clay
United States Magistrate Judge